

Serial No. 10/816,855
Docket No. US01-03060
FUJI.052

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REMARKS

Entry of this Amendment is believed proper since no new issues are being presented to the Examiner which would require further consideration and/or search.

Claims 1, 3-8, 10-15, 17-21, 23, and 25 are all the claims presently pending in the application. Claims 1-21, 23, and 25 stand rejected on prior art grounds. Applicant gratefully acknowledges the Examiner's indication that claims 22, 24, and 26 would be allowable if rewritten in independent form.

Even though Applicant completely disagrees with the Examiner's rejections, to speed prosecution, claims 2, 9, 16, 22, 24, and 26 have been canceled and claims 1, 8, and 16 have been amended to incorporate the allowable subject matter of allowable claims 22, 24, and 26 (and any intervening claims) in a manner believed fully responsive to the points raised by the Examiner, thereby to pass all of the claims to allowance. No new matter has been added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability.

Further, it is noted that, notwithstanding any claim elements, even if amended made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

FORMAL MATTERS AND CONCLUSION

In response to Examiner's objections, claims, have been amended in a manner believed fully responsive to all points raised by the Examiner.

In view of the foregoing, Applicant submits that claims 1, 3-8, 15, 17-21, 23, and 25, all the claims presently pending in the application, are patentably distinct over the prior art of

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record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

 34,386
Sean M. McGinn, Esq., Registration No. 34,386

Date: 5/2/07
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CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to 571-273-8300 the enclosed Amendment under 37 C.F.R. § 1.116 to Examiner Richer M. Aaron on May 2, 2007.

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Sean M. McGinn, Esq., Registration No. 34,386

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